

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GASPAR FELICIANO SALAS,

Defendant.

CR 20–33–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation on August 6, 2020. (Doc. 47.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Gaspar Feliciano Salas’ guilty plea after Salas appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to Counts I, II, and III of the Indictment, which respectively charge: conspiracy to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846; possession with intent to

distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2; and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 47) IN FULL.

IT IS FURTHER ORDERED that Gaspar Feliciano Salas' motion to change plea (Doc. 33) is GRANTED, and Gaspar Feliciano Salas is adjudged guilty as charged in Counts I, II, and III of the Indictment.

DATED this 21st day of August, 2020.



Dana L. Christensen, District Judge
United States District Court